

**CITY OF SAMMAMISH  
WASHINGTON  
ORDINANCE NO. O2004-142**

---

**AN ORDINANCE OF THE CITY OF SAMMAMISH,  
WASHINGTON, AMENDING TITLE 13, UTILITIES, OF  
THE SAMMAMISH MUNICIPAL CODE BY THE  
ADDITION OF A NEW CHAPTER, 13.01, RIGHT OF WAY  
STANDARDS**

WHEREAS, the City of Sammamish currently allows above ground utility cabinets for wireless communication facilities within the City's rights-of-way; and

WHEREAS, such cabinets are commonly surrounded with fencing or vegetative screening to lessen their visual impact; and

WHEREAS, vegetative screening presents problems related to maintenance and sight distance, and even fenced cabinets have been damaged by automobiles; and

WHEREAS, the City Council finds that locating the equipment associated with wireless communication facilities in underground vaults would address the problems associated with screening and fencing,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,  
WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. SMC Title 13 Amended. Title 13, Utilities, of the Sammamish Municipal Code is hereby amended by the addition of a new Chapter 13.01, Right-of-Way Standards, to read as hereinafter set forth:

Chapter 13.01  
RIGHT OF WAY STANDARDS

Sections:

13.01. 010      Wireless Communication Facility Vaults

13.01. 010. Wireless Communication Facility Vaults


All equipment associated with a wireless communication facilities to be located within City rights-of-way shall be placed in an underground vault, unless the applicant for the wireless communication facility demonstrates that such an underground vault is physically or technologically unfeasible.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 2<sup>nd</sup> DAY OF MARCH 2004.**

CITY OF SAMMAMISH

  
Mayor Kathleen Huckabay

ATTEST/AUTHENTICATED:

  
Melonie Anderson, City Clerk

Approved as to form:

  
Bruce L. Disend, City Attorney

Filed with the City Clerk:	February 25, 2004
First Reading:	March 2, 2004
Passed by the City Council:	March 2, 2004
Date of Publication:	March 6, 2004
Effective Date:	March 11, 2004